

AUG 06 2024

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION

U.S. DISTRICT COURT  
W. DISTRICT OF N.C.

UNITED STATES OF AMERICA

VS.

JUSTIN MATTHEW ADKINS

DOCKET NO. 1:24-cr-52-MR-WCM

**BILL OF INDICTMENT**

Violations:

18 U.S.C. § 2252A(a)(2)(A)

18 U.S.C. § 2251(d)

18 U.S.C. § 2260A

18 U.S.C. § 2252A(a)(5)(B)

**THE GRAND JURY CHARGES:**

**COUNT ONE**

On or about October 27, 2023, in McDowell County, within the Western District of North Carolina, and elsewhere, the defendant,

JUSTIN MATTHEW ADKINS

did knowingly receive and attempt to receive, any child pornography, as defined in Title 18, United States Code, Section 2256(8)(A), that using any means or facility of interstate and foreign commerce has been shipped and transported in and affecting interstate and foreign commerce by any means, including by computer.

In violation of Title 18, United States Code, Section 2252A(a)(2)(A).

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**COUNT TWO**

On or about October 27, 2023, in McDowell County, within the Western District of North Carolina, and elsewhere, the defendant,

JUSTIN MATTHEW ADKINS

did knowingly distribute and attempt to distribute, any child pornography, as defined in Title 18, United States Code, Section 2256(8)(A), that using any means or facility of interstate and foreign commerce has been shipped and transported in and affecting interstate and foreign commerce by any means, including by computer.

In violation of Title 18, United States Code, Section 2252A(a)(2)(A).

**COUNT THREE**

On or about November 5, 2023, in McDowell County, within the Western District of North Carolina, and elsewhere, the defendant,

JUSTIN MATTHEW ADKINS

did knowingly make, print, and publish, and did cause to be made, printed, and published, a notice seeking and offering to receive, exchange, display, distribute, and reproduce a visual depiction the production of which involved the use of a minor engaging in sexually explicit conduct and which depiction was of such conduct, knowing and having reason to know that such notice would be transported using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce by any means including by computer, and such notice was transported using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce by any means including by computer.

In violation of Title 18, United States Code, Section 2251(d)(1)(A).

#### **COUNT FOUR**

On or about November 5, 2023, in McDowell County, within the Western District of North Carolina and elsewhere, the defendant,

JUSTIN MATTHEW ADKINS

an individual required by Federal and North Carolina law to register as a sex offender, committed a felony offense involving a minor under Title 18, United States Code, Section 2251(d), as alleged in Count Three of this Indictment.

In violation of Title 18, United States Code, Section 2260A.

#### **COUNT FIVE**

On or about November 7, 2023, in McDowell County, within the Western District of North Carolina, and elsewhere, the defendant,

JUSTIN MATTHEW ADKINS

knowingly possessed and accessed with intent to view any material that contained an image of child pornography, as defined in Title 18, United States Code, Section 2256(8)(A), that involved a prepubescent minor and a minor who had not attained 12 years of age, that has been mailed, and shipped and transported using any means and facility of interstate and foreign commerce, and in and affecting interstate and foreign commerce by any means, including by computer, and that was produced using materials that have been mailed, and shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer.

In violation of Title 18, United States Code, Section 2252A(a)(5)(B).

### **PRIOR CONVICTION ALLEGATION**

The defendant JUSTIN MATTHEW ADKINS has a prior final conviction relating to sexual abuse or abusive sexual conduct involving a minor, in that on or about March 6, 2023, he was convicted in Buncombe County, North Carolina of Second-Degree Exploitation of a Minor, in violation of North Carolina General Statute, 14-190.17.

This prior conviction affects the penalty provisions associated with Counts One, Two, Three, and Five pursuant to Title 18, United States Code, Sections 2252A(b)(1) and (b)(2).

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### **NOTICE OF FORFEITURE AND FINDING OF PROBABLE CASE**

Notice is hereby given of 18 U.S.C. § 2253 and 21 U.S.C. § 853. The following property is subject to forfeiture in accordance with 18 U.S.C. § 2253 and 21 U.S.C. § 853:

- a. Any visual depiction or book, magazine, periodical, film, videotape, or other matter which contains any such depiction, which was produced, transported, mailed, shipped, or received during the violations set forth in this bill of indictment;
- b. Any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from proceeds of the violations;
- c. Any property, real or personal, used or intended to be used to commit or promote the violations; and
- d. If, as set forth in 21 U.S.C. § 853(p), any property described in (a), (b), or (c) cannot be located upon the exercise of due diligence, has been transferred or sold to, or deposited with, a third party, has been placed beyond the jurisdiction of the court, has been substantially diminished in value, or has been commingled with other property which cannot be divided without difficulty, all other property of the defendant/s to the extent of the value of the property described in (a), (b) and (c).

The Grand Jury finds probable cause that the following property that was seized on or about November 7, 2023, during the course of the investigation of the offenses herein is subject to forfeiture on one or more of the grounds stated above: One (1) HP laptop computer with a 500GB hard disk drive; and one (1) OXTAB tablet, seized during the course of this investigation.

FOREPERSON

DENA J. KING  
UNITED STATES ATTORNEY



ALEXIS SOLHEIM  
ASSISTANT UNITED STATES ATTORNEY